



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,093	09/17/2002	Marc Schaepkens	124335	6153
6147	7590	06/28/2005	EXAMINER	
GENERAL ELECTRIC COMPANY GLOBAL RESEARCH PATENT DOCKET RM. BLDG. K1-4A59 NISKAYUNA, NY 12309			LEURIG, SHARLENE L	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,093

Applicant(s)

SCHAEPKENS ET AL.

Examiner

Sharlene Leurig

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21, 23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) 1-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20, 21, 23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 20, 21, 23 and 24 stand rejected under 35 U.S.C. 102(b) as being anticipated by Codama (6,091,078) (of record).

Regarding claim 20, Codama discloses a light-emitting device comprising a substrate (Figure 21, element 1) having a plurality of raised features (1b) on a surface, and a plurality of light emitting elements, each disposed on one of its raised features, each of the light emitting elements comprising an organic electroluminescent material (5) disposed between two electrically conducting layers (3 and 6), where the first and second electrically conducting layers of a light-emitting element are separate from first and second electrically conducting layers of another light-emitting element, respectively. Electrodes (3) are patterned into islands (column 21, lines 19-20) separated from each other by insulating material (4), as shown in Figure 18A, and are therefore separate from each other. Electrodes (6) are also separate from each other (column 22, lines 1-6). Both the first electrically conducting layer and the second electrically conducting layer cover a side portion of the raised feature, the covered side portion being the top side portion.

Regarding claim 21, the substrate comprises a substantially transparent polymeric material (column 13, lines 61-65).

Regarding claim 23, the organic electroluminescent material is capable of emitting light having a first wavelength range when a voltage is applied across the electrically conducting layers (column 7, lines 1-9).

Regarding claim 24, the light-emitting elements have a layer of photoluminescent material that is capable of absorbing a portion of the light emitted by the organic electroluminescent material and emitting light having a different wavelength range (column 14, lines 43-67).

Response to Arguments

3. Applicant's arguments filed March 17, 2005 have been fully considered but they are not persuasive.

The applicant has argued that Codama et al. (6,091,078) fails to disclose each and every limitation of claim 20 as amended, and therefore the reference does not anticipate the claimed invention.

The examiner directs the applicant to Figures 17A-22, which illustrate an OEL device having a substrate with raised features, each of which has a light-emitting device having an organic EL material between two electrically conducting layers which are separate from the electrically conducting layers of any other light emitting element. The first and second electrically conducting layers are formed on the top side of the raised features, as shown in the figures. The amended claim does not define the raised

Art Unit: 2879

features as having a top side and sides perpendicular or at an angle to the top side, and therefore the claim is not limited to one of the conducting layers covering a side other than the top side.

Therefore the rejection is maintained and made final.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharlene Leurig whose telephone number is (571) 272-2455. The examiner can normally be reached on Monday through Friday, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sll



NIMESHKUMAR D. PATEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800